Revenue (1922) Department.

Miscellaneous SERIES.

G.O. No. 510

DATED 15/3/22

[Despatch Abstract.]

Legislative Council - January - Resolution No. 155 re Seigniorage rates on dunghas & lands in Sonth Kanara

Press

Please print and send 15 clean proof

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Lol 20.9.21

REVENUE-D 5170 Regd 17.9.21

Council Office.

Rt

Resolution. 15th September 1921.

Mr. K. Sadasiva Bhat.

THE REVENUE DEPARTMENT.

[Subject - Assignment - land - South Kanara - Seigniorage rates.]

197. ~~248.~~ That this Council recommends to the Government that in the assignment of waste lands on Darkhast in South Kanara Seigniorage should be calculated by the Revenue Department and at special reduced rates.

UNDER SECY. TO GOVT. * 17 SEP 1921 * REVENUE DEPT.

~~A.H.~~

~~D-30~~

Revenue Deptt

To Under Secy

Prior to 1918 the practice was to recover the value of trees standing on darkhast lands as settled by District Forest officer or under the orders of the Collector, unless the Collector ~~thought~~ thought fit, as a special case, to give a patta for the land with the trees standing on the lands. The general rule, however, appears to have been to follow the rates of seigniorage fixed by the Forest Deptt for the

Rd

district concerned. In reply to a reference from Government regarding the adoption of measures to accelerate the cultivation of waste lands, the Board of Revenue reported in 1918 that the rates of seigniorage generally applied in the fixing of tree valuation were more or less arbitrary and at times far in excess of the real local value of the forest growth and as a consequence operated in many cases to prevent extension of cultivation. Though the Collector had power to reduce the rates fixed by the District Forest Officer, it was not specifically stated in the rule. The rule was accordingly altered and the Collector given full discretion to fix the rates of seigniorage for the trees in consultation with the District Forest Officer, where necessary. (Vide para.5 on p.5 and para.3 on p.18 of G.O.No.2435 Rev., dated 26-6-18 and p.5 of G.O.No.163 Rev., dated 24-1-19). Under S.O.15 para.30 as revised by these orders "The Collector has full discretion to fix the rates of seigniorage for the trees and for this purpose he may consult the District Forest Officer if he thinks fit. If a reasonable valuation does not exceed Rs.200 the Divisional Officer may fix it and if it does not exceed Rs.50 it may be fixed by the Tahsildar. If the assignee will not pay the estimated value, the Collector, the Divisional Officer or the Tahsildar, as the case may be, with reference to the valuation, may sell the trees by auction but in case the Tahsildar or any superior officer is satisfied for special reasons (to be reco-ed in writing) such as the poverty of the applicant that the assignee is unable to pay for the trees and the value thereof does not exceed Rs.50 he may assign them free of charge".

In the re-draft of the S.O. which is about to issue the position has been stated more clearly.

Submitted to C3

NOTES CONNECTED WITH A RESOLUTION ON MATTERS OF GENERAL PUBLIC INTEREST.

[For the meeting of the 15th November 1921.]

[SUBJECT.—*Assignment—land—South Kanara—seigniorage rates.*]

COUNCIL OFFICE.

Mr. K. SADASIVA BHAT:—

197. That this Council recommends to the Government that in the assignment of waste lands on darkhast in South Kanara seigniorage should be calculated by the Revenue Department and at special reduced rates.

REVENUE DEPARTMENT.

Prior to 1918 the practice was to recover the value of trees standing on darkhast lands as settled by the District Forest Officer or under the orders of the Collector, unless the Collector thought fit, as a special case, to give a patta for the land with the usufruct of the trees standing on the lands—vide paragraph 30 on page 17 of G.O. No. 497, Revenue, dated 3rd March 1916. The general rule, however, appears to have been to follow the rates of seigniorage fixed by the Forest Department for the district concerned. In reply to a reference from Government regarding the adoption of measures to accelerate the cultivation of waste lands, the Board of Revenue reported in 1918 that the rates of seigniorage generally applied in the fixing of tree valuation were more or less arbitrary and at times far in excess of the real local value of the forest growth and as a consequence operated in many cases to prevent extension of cultivation—paragraph 5 on page 5 of G.O. No. 2435, dated 26th June 1918. Though the Collector had power to reduce the rates fixed by the District Forest Officer, it was not specifically stated so in the rule. The rule was accordingly altered and the Collector given full discretion to fix the rates of seigniorage for the trees in consultation with the District Forest Officer, where necessary (vide paragraph 5 on page 5 and paragraph 3 on page 18 of G.O. No. 2435, Revenue, dated 26th June 1918, and page 5 of G.O. No. 163, Revenue, dated 24th January 1919). Under Standing Order 15, paragraph 30, as revised by these orders "the Collector has full discretion to fix the rates of seigniorage for the trees and for this purpose he may consult the District Forest Officer if he thinks fit. If a reasonable valuation does not exceed Rs. 200 the Divisional Officer may fix it and if it does not exceed Rs. 50 it may be fixed by the Tahsildar. If the assignee will not pay the estimated value, the Collector, the Divisional Officer or the Tahsildar, as the case may be, with reference to the valuation, may sell the trees by auction, but in case the Tahsildar or any superior officer is satisfied for special reasons (to be recorded in writing) such as the poverty of the applicant that the assignee is unable to pay for the trees and the value thereof does not exceed Rs. 50, he may assign them free of charge."

2. In the redraft of the Standing Order which is about to issue the position has been stated more clearly. Tahsildars and Divisional Officers within the limits mentioned above (i.e., Tahsildars up to Rs. 50 and Divisional Officers up to Rs. 200) and Collectors have been authorized to sell the trees by auction (the purchaser to cut and remove the trees) and if for any reason auction is not considered desirable to reduce the valuation and in case of the poverty of the applicant to remit the value altogether. It is left to the discretion of the Collector to consult the District Forest Officer or direct by a general or special order that the Tahsildar and the Divisional Officer should consult the District Forest Officer before disposing of the question of tree valuation.

3. The above rules apply to South Kanara also with the modification that the value of trees standing on kumaki lands will be foregone if the lands are granted on darkhast to the person having the kumaki privileges over the land (vide Appendix IX, page 62, Board's Standing Orders, Volume II, and paragraph 14 at page 13 of the redraft).

It will thus be observed that the rules regarding the valuation of trees and its recovery are very liberal and elastic and secure the object which the mover of the resolution has in view.

P. T. S[RINIVASA ACHARIYAR]—26-9-21.

There seems no reason why any person should be given special reduced rates other than the owner of the kumaki right and he is already provided for as above noted.

E. W. LEGH—28-9-21.

M. H[ABIB-UL-LAH]—28-10-21.

Cir 12.12.21
Rlzd 20.1.22

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F

350—23-9-21.

To

THE SECRETARY TO GOVERNMENT,

Revenue DEPARTMENT.

REVENUE - E
164
Regd 20-1-22

carried.
carried as amended.
lost.
not moved and was therefore deemed to have been withdrawn.
In the absence of the mover, deemed to have been withdrawn.

The following resolution was— My leave, withdrawn.

Resolution No. 197 [248]

Seigniorage rates on darkhast lands in South Kanara.

Mr. K. SADASIVA BHAT:—

197 [248]. That this Council recommends to the Government that in the assignment of waste lands on darkhast in South Kanara, seigniorage should be calculated by the Revenue Department and fixed at special reduced rates.

Not moved

(Amendment.

SECRETARY TO GOVERNMENT
19 JAN 1922
REVENUE DEPARTMENT

L.D. Swamikannu

LEGISLATIVE COUNCIL OFFICE,

19. 1. 1922 *Secretary to the Legislative Council.*

Seigniorage rates on darkhast lands in South Kanara.

The following resolutions standing in the name of Mr. K. Sadasiva Bhat were not moved and were, therefore, deemed to have been withdrawn:—

"197. *That this Council recommends to the Government that in the assignment of waste lands on darkhast in South Kanara seigniorage should be calculated by the Revenue Department and fixed at special reduced rates.*"

Transfer of margins of public roads to local bodies.

"198. *That this Council recommends to the Government that the control of roadsides or margins of public roads be completely transferred from the Revenue Department to local bodies except in the case of sites reserved for Government purposes.*"

To A.S

The papers may now be

Go. No 510 of 15-3-22

Recorded

V.P. 14.3.22

Abstract

Legislative Council - January

Resolution No 197 - Seigniorage rates on darkhast lands in South Kanara.

P.K. 11/3/22